

STATE OF MICHIGAN
17TH JUDICIAL CIRCUIT COURT

SUITE 3500
180 OTTAWA AVENUE NW
GRAND RAPIDS, MICHIGAN 49503-2751

Concerns related to passage of SB 188 & 189

- The juvenile treatment program of the 17th Circuit Court (The Adolescent Sex Offender Treatment Program) has consistently produced recidivism rates of approximately 5% over a 25 year span of time (0% for female adolescent sexual offenders). Other research indicates similar findings. In light of this, the continued inclusion of juvenile offenders on the registry as necessary to increase public safety is contradicted by research. These statistics have been supported and replicated by other programs nationally as reported by the and National Center on Sexual Behavior of Youth, Center for Sex Offender Management, and the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.
- The juvenile justice system is designed to incorporate both the needs of the juvenile (rehabilitation) and those of the community (protection). The inclusion of juveniles on the database ignores the systematic goal of weighing both equally and places a greater emphasis on perceived community safety; There is research indicating registration and community notification do not reduce sexual offending. Research has shown that juveniles are more responsive to treatment than adults, even when the offense is assaultive in nature. Also juveniles are less likely than adults to reoffend given the appropriate treatment.
- For those adjudicated as a juvenile under the tier III classification, the proposed legislation only allows for removal from the registry after a period of 25 years, with no means to petition sooner based on risk assessment, treatment and continuing criminal history (or lack thereof). No juvenile treatment program exists within the State that is certified by the DOC or by the US Attorney General, which is a necessary requirement to be able to file a petition for removal from the registry (SB 189).
- Sexting concerns: Acts of sexting would be classified as Tier I or II offenses requiring registration. These are laws written to address child pornography offenders, but teens are more likely to be caught up in these offenses and subsequently prosecuted despite the absence of any research related to the risk of this type of offender.

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- The vast majority of juvenile offenders (regardless of the age of offender) have victims more than 4 years younger, which in the proposed legislation would classify them as tier III, requiring them to register for life. Although it would be non-public registration there are continued restrictions when they become adults with employment and residency that clearly do apply to those adjudicated as a juvenile.
- Concern remains with requiring youth 14 years of age and older to register as this continues to add a large number of youth to the database. Within 17th Circuit Court alone, the majority of youth referred were 14 years of age and older (135 of 248 – 54% - from 1/1/2008 thru 12/31/2010).

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